

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
ROBERT L. PAVONE and VALERIE V. PAVONE,

08 civ 2389  
(CLB) (LMS)

Plaintiffs,

-against-

LINDA PUGLISI, individually, ANN  
LINDAU, individually, FRANCIS X.  
FARRELL, individually, JOHN SLOAN,  
Individually, THOMAS WOOD,  
Individually and the TOWN OF  
CORTLANDT, New York,

**NOTICE TO TAKE  
DEPOSITION  
UPON ORAL  
EXAMINATION**

Defendants.  
-----X

**COUNSELORS:**

**PLEASE TAKE NOTICE**, that pursuant to Article 31 of the Civil Practice Law and Rules the testimony, upon oral examination, of the plaintiffs, **ROBERT L. PAVONE and VALERIE V. PAVONE**, as an adverse parties, will be taken before a Notary Public who is not an attorney, or employee of an attorney, for any party or prospective party herein and is not a person who would be disqualified to act as a juror because of interest or because of consanguinity or affinity to any party herein, at the **Law Offices of Hodges, Walsh & Slater, LLP, located at 55 Church Street, Suite 211, White Plains, NY on the 19th day of August, 2008, at 10:00 a.m.** in the forenoon of that day with respect to evidence material and necessary in the defense of this action.

Dated: White Plains, NY  
July 28, 2008

Yours, etc.

A handwritten signature in dark ink, appearing to read "John Walsh", written over a horizontal line.

JOHN J. WALSH (4092)  
**HODGES, WALSH & SLATER, LLP**  
Attorneys for Defendant  
TOWN OF CORTLANDT  
55 Church Street, Suite 211  
**White Plains, NY 10601**  
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TO: LOVETT & GOULD, LLP  
Attorneys for Plaintiffs  
222 Bloomingdale Road  
White Plains, NY 10605

LAW OFFICES OF EDMUND V. CAPLICKI, JR., P.C.  
Attorneys for Co-Defendants  
P.O. Box 15  
Lagrangeville, NY 12540

**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK                    )  
  SS.:)  
COUNTY OF WESTCHESTER        )

KIM J. LAMBERTUS, being duly sworn, deposes and says:

I am employed by the law firm of HODGES, WALSH & SLATER, LLP, counsel for Defendant TOWN OF CORTLANDT in the above action and I am over the age of 18 years and I am not a party to this action. On August 4, 2008, I served a true copy of the annexed **NOTICE TO TAKE DEPOSITION UPON ORAL EXAMINATION** in the following manner: by Electronic filing and Regular as indicated below:

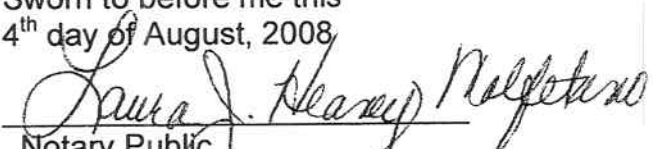
TO: Clerk of the United States District Court – Electronic Filing  
for the Southern District of New York  
300 Quarropas Street  
White Plains, NY 10601

Lovett & Gould, LLP – Electronic Filing & Regular Mail  
Attorneys for Plaintiffs  
222 Bloomingdale Road  
White Plains, NY 10605

LAW OFFICES OF EDMUND V. CAPLICKI, JR., P.C. – Electronic  
Filing & Regular Mail  
Attorneys for Defendants  
Puglisi, Lindau, Farrell, Sloan & Wood  
P.O. Box 15  
Lagrangeville, NY 12540

  
KIM J. LAMBERTUS

Sworn to before me this  
4<sup>th</sup> day of August, 2008

  
Notary Public

LAURA J. HEANEY MALFETANO  
NOTARY PUBLIC, State of New York  
No. 01HE6084655  
Qualified in Westchester County  
Commission Expires 12/9/10